

**II. REMARKS:**

Claims 1-9 were pending in this application and have been rejected. The present amendment amends claims 1-2 and 4-5 to more particularly point out and clarify Applicants' invention. No new matter has been added by the present amendment. After this amendment, claims 1-9 will be pending.

Reconsideration of the application in view of the above amendments and following remarks is respectfully requested.

**Rejection(s) under 35 U.S.C. § 103**

Claims 1-9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 1,388,488 issued to Senn ("Senn") in view of U.S. Patent No. 5,850,741 issued to Feher ("Feher"). In view of the amendments and remarks contained herein, Applicants respectfully submit that the rejections of claims 1-9 are traversed.

Claim 1 has been amended to recite that the metal tube and the wick are cooperatively configured to extend from an upper-most region of the rim to a lower region of the rim to transfer heat between the upper-most and lower regions of the rim and to move the volatile liquid therebetween. Support for this amendment may be found in Applicants' application at paragraphs [0020], [0024] and [0026].

Senn discloses a steering wheel with a rim that is heated so as to assist the driver in keeping his hands warm. The rim is formed from a hollow tube c that is

bent into a circular shape. The opposing ends of the tube *c* are connected by a member *d*, which is provided with a neck and an opening. The opening is closed with a plug *g*, which carries an electric heating element *h*. A small portion of heating liquid *i* is placed within the hollow tube *c* of the rim where the heating element *h* extends into the liquid *i*, thereby vaporizing the liquid *i* as steam to fill the remainder of the hollow tube *c* to heat the entire periphery of the steering wheel. *Senn* at lines 30-107. Notably, however, *Senn* fails to disclose a wick contained in the tube *c*.

*Feher* discloses an apparatus 10 for modifying the temperature extremes at the hand grip regions 16 and 18 of a vehicle steering wheel 12. The apparatus 10 has a heat pump 20 including a thermoelectric device 30 that is mounted on the center, rear side of the steering wheel 12 adjacent the steering column. A U-shaped heat pipe 36 has two arms defining first and second heat pipe sections 22 and 24. The heat pipe sections 22 and 24 are secured to thermoelectric device 30 and extend outwardly from the center of the steering wheel 36 toward the hand grips 16 and 18 and have end portions that terminate within the hand grips 16 and 18. "The heat pipe 36 is generally dimensioned and of such a geometry that its outer two pipe sections 22 and 24 are bent downwardly at the circumferential portion of the steering wheel 12". In the heating mode, fluid inside the heat pipe 36 vaporizes first and then condenses on the inside walls of the heat pipe 36 to warm the hand grip heat exchangers 26 and 28 (adjacent the hand grips 16 and 18). The inside of the heat pipe 36 is covered with a wicking material to transport condensed fluid back to the heat pump 20. *Feher* at Col. 2, line 30 – Col. 3, line 55, and Figures 2-6. Notably, both the heat pipe 36 and the wicking material contained therein extend

downwardly, rather than upwardly, from a central circumferential portion of the steering wheel 12. Accordingly, Feher fails to disclose the heating pipe 36 and wicking material extending downwardly from the upper-most region of the steering.

Neither Senn nor Feher independently or in combination, disclose, teach or suggest the present invention recited in claim 1. In particular, neither Senn nor Feher independently or in combination, disclose, teach or suggest a metal tube and a wick that are cooperatively configured to extend from an upper-most region of a steering wheel rim to a lower region of the rim to transfer heat between the upper-most and lower regions of the rim and to move a volatile liquid between these two regions of the rim. Specifically, Senn fails to disclose a wick or wicking material contained in the hollow tube c, and Feher does not disclose that the heating pipe 36 with the wicking material contained therein is generally dimensioned and of such a geometry that its outer two pipe sections 22 and 24 are bent upwardly at the circumferential portion of the steering wheel 12 away from the hand grips 16 and 18 to extend to the upper-most region of the wheel 12. In that both Senn and Feher lack the noted elements of claim 1, the rejections based thereon should be withdrawn.

Moreover, neither Senn nor Feher independently or in combination, disclose, teach or suggest the further limitations recited in claim 4 of a steering wheel rim comprises two heat pipes and two wicks where each of the two heat pipes contains one of the two wicks, and each of the two heat pipes and the corresponding wick extend around approximately half of the circumferentially extent of the rim from the upper-most region to a lower-most region of the rim.

The Examiner posits that it would have been obvious to one of ordinary skill in the art to replace the electric heater of Senn with the thermoelectric heat pump of Feher and utilize the wicking layer therein. Office Action at page 2. This is however not the case. Replacing the heating element *h* of Senn, which is located within the circular hollow tube *c* at the lowest-most region of the wheel for collection of heating liquid *i* by gravity (see *Senn* at lines 27-40), with the thermoelectric heat pump 20 and 30 of Feher, which is externally secured to a flatted portion 35 of the U-shaped heat pipe 36 by a large external surface 33 central located adjacent the steering column, would require substantial reconstruction or redesign of Senn's tube *c* and steering wheel, changing its principle of operation. Thus, there is no suggestion to combine these references as suggested by the Examiner. MPEP 2143.01 and *In re Ratti*.

Accordingly, Applicants believe that claim 1 and its dependent claims 2-9 are in a condition for allowance.

Conclusion

In view of the above amendments and remarks, it is respectfully submitted that the present form of the claims are patentably distinguishable over the art of record and that this application is now in condition for allowance. Such action is requested.

Respectfully submitted,

Dated: November 11, 2009

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